Joseph M. Alioto (SBN 42680) Joseph M. Alioto, Jr. (SBN 215544) ALIOTO LAW FIRM 555 California Street, Suite 3160 San Francisco, California 94104 Telephone: (415) 434-8900

Facsimile: (415) 434-9200

Email: JAliotoJr@AliotoLaw.com

[Additional attorneys last page]

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

CASSAN ENTERPRISES, INC.; CMC INVESTMENTS, INC.; and TODD INVESTMENTS CO.;

Plaintiffs,

υ.

HERTZ GLOBAL HOLDINGS, INC. and DOLLAR THRIFTY AUTOMOTIVE GROUP, INC.;

Defendants.

Civil No. 3:10-cv-04289-RS

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that pursuant to Federal Rule of Civil Procedure 41(a), Plaintiffs Cassan Enterprises, Inc., CMC Investments, Inc., and Todd Investments Co. voluntarily dismiss without prejudice the above-entitled action against Defendants Hertz Global Holdings, Inc. ("Hertz") and Dollar Thrifty Automotive Group, Inc. ("DTG").

This voluntary dismissal is grounded on the rejection by DTG's shareholders of the offer of Hertz to acquire DTG, as well as Defendants' withdrawal of their merger application to the United States Department of Justice under the Hart-Scott-Rodino Antitrust Improvement Act of 1976. This dismissal is without prejudice and Plaintiffs reserve the right to refile a complaint against Defendants together, separately, or in conjunction with other parties.

This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

October 20, 2010

Respectfully submitted,

/s/ Joseph M. Alioto, Jr.

Joseph M. Alioto (SBN 42680) Theresa D. Moore (SBN 99978 Joseph M. Alioto, Jr. (SBN 215544) Thomas P. Pier SBN 235740) **ALIOTO LAW FIRM** 555 California Street Thirty-First Floor San Francisco, California 94104

Telephone: (415) 434-8900 Facsimile: (415) 434-9200 JAliotoJr@AliotoLaw.com Theodore F. Schwartz (SBN 58946) Kenneth R. Schwartz LAW OFFICES OF THEODORE F. SCHWARTZ

230 South Bemiston, Suite 770 Clayton, Missouri 63105 Telephone: (314) 863-4654 Facsimile: (314) 862-4357

Theodore@Schwartz-Schwartz.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that counsel for both defendants have separately agreed to accept service of this document by electronic mail and that on October 20, 2010 I served counsel for defendants through the following electronic mail addresses:

George Cary Cleary Gottlieb Steen & Hamilton LLP gcary@cgsh.com Counsel for defendant Dollar Thrifty Automotive Group, Inc.

Jeffrey Levee Jones Day jlevee@JonesDay.com Counsel for defendant Hertz Global Holdings, Inc.

October 20, 2010

 $\frac{/s/}{\text{Joseph M. Alioto, Jr.}}$

ALIOTO LAW FIRM

555 California Street Thirty-First Floor San Francisco, California 94104 Telephone: (415) 434-8900 Facsimile: (415) 434-9200 JAliotoJr@AliotoLaw.com

Attorneys for Plaintiffs